

**Brandon Select Board Meeting
May 23, 2022**

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

Board Members In Attendance: Seth Hopkins, Brian Coolidge, Tim Guiles, Tracy Wyman

Others in Attendance: Dave Atherton, Neil Silins, Helyn Anderson, Jim Emerson, Wayne Rausenberger, Richard Russ, Mary Ann Hodges, Bernie Carr

Other In Attendance Via Zoom: Angelo Lynn, Jack Schneider, Richard Jamros, Daphne Black

1. Call to order

The meeting was called to order by Seth Hopkins, Chair at 7:38PM.

a) Agenda Adoption

Motion by Seth Hopkins/Tim Guiles to adopt the agenda as posted. **The motion passed unanimously.**

Add Item 6(a)Newton Road Pump Station Update

Add Item 6(b) Board Action Required by Otter Creek Watershed Insect Control District (OCWICD)

2. Approval of Minutes

a) Select Board Minutes – May 9, 2022

Motion by Tracy Wyman/Brian Coolidge to approve the May 9, 2022, minutes. **The motion passed unanimously.**

3. Town Manager's Report

Dave Atherton provided the following report:

. There were a few road and culvert washouts from last week's rainstorms. Stone Mill Dam Road washed out, Old Brandon Road had a washout and impaired cross culvert and a storm structure on Route 7 by Steinberg Road was plugged twice by sediment flowing into it. Two of these are new areas where washouts are seen. The Highway Department spent most of the week repairing the roads and improving the structure and ditch on Route 7.

. Also, during the storm event the Newton Road pump station struggled to keep up with the high flows due to the age of the station and the amount of infiltration of storm water. Mr. Atherton had to notify the Vermont DEC about this and the high flows at the WWTP. (Mr. Atherton had a video conference with DEC today to discuss possible solutions and available financial options to decrease the high infiltration in the collection). New pumps and controls have been located from one of the Town's vendors that will replace the aging one at the pump station. The Town might be able to have the new equipment installed within 4 to 6 weeks. Mr. Atherton has notified A & E about this and they understand this pump station has become an immediate priority for the Town and supports the quick repairs/replacement.

. The first official notice of delinquent taxes for this year has been sent out. The total delinquency for the year is a bit lower than normal.

. The mandatory pre-bid meeting for the Arnold District culvert was held on May 18th. There were 5 contractors in attendance. That opening will take place on June 3rd.

. The bid opening for the WWTP upgrade was held on May 12th. The Town had three qualified bids and Naylor & Breen was the apparent low bidder at \$5,585,197.00. There will be a meeting with them on May 24th to discuss the project and deducts.

Seth Hopkins asked if the upgrade is in the cost and Mr. Atherton advised it was and is the reason there is a deduct meeting being held. Tim Guiles asked about the high infiltration comments and Mr. Atherton noted it is from high water and ground water. There had been testing done in 2012 and these areas had been discussed. Some slip lining has been done, but the Town has 22 miles of aging infrastructure and the solution is to either slip line or replace and he is looking into funding options.

4. Public Comments and Participation

Neil Silins noted at a prior Select Board meeting there had been comments concerning some trees on McConnell Road that needed trimming. As the Tree Warden, his regulatory responsibility is limited unless the Town has a Shade Tree Preservation Plan that will require a public hearing. Mr. Silins will be working in cooperation with Montpelier to develop a Shade Tree Preservation Plan. He noted this went into effect last year at the State level and he will work with Montpelier to develop a plan that will be consistent of what Brandon will like and will present to the Board once completed. He noted there is a State format and as long as the Town remains in the bounds of that additional suggestions are welcome. He suggested people send comments through the Tree Warden's contact information on the Town's website. Seth Hopkins noted that anyone interested in working with Mr. Silin's on this project could also email him through the Town's website.

Mary Ann Hodges, resident of Park Street, is concerned with exiting her driveway due to the way the cars are parking as there are no designated lines and people tend to park diagonally. She shares a drive and when pulling out there are usually cars parked making it difficult to see the road. Ms. Hodges hoped the Town would designate parallel parking. Mr. Atherton advised the

Town will be painting lines soon and this can be considered. Mr. Atherton noted the crosswalk painting is generally done prior July 4th.

Tracy Wyman reported there are a lot of dead limbs in the right of ways and is something worth reviewing. On McConnell Road there are large limbs that should come down. Tim Guiles stated the Tree Warden could determine if there are safety concerns and then get the dangerous trees taken care of. Neil Silins stated diseased and damaged trees are under his prevue but he was not sure about dangerous trees. Mr. Silins has not reviewed the trees that Mr. Wyman has pointed out. Mr. Guiles stated the Town needs to act on these observations and asked Mr. Silins to review these dangerous trees. Dave Atherton stated if the trees are in the right of way the Town has the authority to deal with them. He advised that as of July 1st, there is a budget that is less than the one now and tree removal will be an issue as they are very expensive to remove. Mr. Wyman suggested if this is not in the budget, during budget season the Town should look at including this in the next budget. Mr. Guiles suggested Shawn and Mr. Silins should assess the dangerous trees. It was noted GMP will take care of the ones that are on their lines. Mr. Atherton stated the Public Works Department has done a lot of work in the past in this area. Helyn Anderson asked about the tree inventory. Mr. Atherton stated this has been revived and is more for the downtown area. He noted the Town has started working with the State on a GPS program where the health of the trees can also be included. Mr. Silins suggested if there is anyone who thinks there is a dangerous tree to advise him as the Tree Warden using the contact information on the Town's website.

Richard Russ asked if there could be a flagpole erected in front of the town hall. Mr. Atherton noted there is a large flagpole in the park. Mr. Russ stated a request was brought to him for a flagpole as the town hall has become a center of attention in the Town. Mr. Atherton advised the Town currently has 4 flagpoles, but this can be discussed further. Bernie Carr suggested reaching out to the Friends of the Town Hall as they have been talking about this subject. Mr. Atherton will contact the Friends of the Town Hall about this subject.

Bernie Carr asked if the light has been fixed on the monument. Mr. Atherton stated the solar light has not been fixed yet, as it has been fixed twice but it is now broken again. There needs to be a more robust option determined.

5. Energy Committee Appointment

Jim Emerson, Chair of the Energy Committee, had submitted Erin Ballantine's request to serve on the Brandon Energy Committee.

Motion by Tim Guiles/Tracy Wyman to appoint Erin Ballantine as a member of the Brandon Energy Committee. **The motion passed unanimously.**

6. Consider Request for Use of Local Option Tax Funds

Seth Hopkins reported this request has come from the Town Treasurer to fund the infrastructure for the Park Street project.

Motion by Tim Guiles/Tracy Wyman to approve the request to use Local Option Tax funds in the amount of \$113,754.15 to close out the Park Street project. **The motion passed unanimously.**

Mr. Hopkins asked if this is the expected Town contribution and Mr. Atherton confirmed that it is the VTrans match for the project. It was noted there were 4 funding sources: the Clean Water Revolving Fund and Drinking Water Fund, the DEC grant, the Town's portion, and the match for the Class I paving that was done. Mr. Atherton reported there is about \$350,000 in the Local Option Tax fund after this item is paid. The first quarter payment has not been received yet.

. Newton Road Pump Station Update

Dave Atherton reported a bid has been received for the pump. This would include two new variable speed pumps and new controls that would be retrofitted into the wet well, tie into the main and hook up, and drain the wet well and check for leaks. The work could be done within 4 to 6 weeks. He noted the new pumps should save a lot of electricity. In regard to infiltration, he did locate the old INI study from 2013 where it indicates Furnace Road and Newton Road were significant areas of infiltration due to high ground water. When A & E was doing the review for the pump station, they were looking at the INI study again and noted Furnace Road, Newton Road and near the police station are bad. He had a meeting with Michelle Cole and Tom Brown who do the financing side to identifying these areas and determine what is needed. An RFP will be done, but Mr. Atherton wanted the Board to know that this is urgent. The plan is to continue with a project for getting rid of the infiltration either replacing or slip lining. The \$158,671.48 does include electrical work in the bid. Mr. Guiles stated when talking about the WWTP project it was noted that it is a historical problem and asked what the scale of the whole problem is, how much is being addressed and should it be keeping in mind a longer-range plan. Mr. Atherton stated this was a plan in 2012 and he was surprised that no one ever acted on it. The Champlain Street and Newton Road pump stations were the problems. Mr. Guiles asked what the whole scope is and whether the Town should be planning with a forward plan every few years. Mr. Atherton stated this is a gravity feed system and this fluctuates with the river and that is where it is difficult. The WWTP was built in 1960. There were quite a few issues found during the spring thaw. He noted it would cost \$1 million a year to do a mile every year. Mr. Atherton will find out how much the numbers went down after the Champlain Street pump station was done. Mr. Atherton advised the WWTP can handle up to 750,000 gallons a day, but when there is a storm, it can take in 2 million gallons. He noted it needs to be remedied and the Town is working on this issue.

Motion by Brian Coolidge/Tracy Wyman to move forward with the Newton Road pump station with the use of the previously approved ARPA funding in the amount of \$158,671.43. **The motion passed unanimously.**

Tim Guiles supported the work and funding and asked if it would qualify as 1% money since it is infrastructure. Mr. Atherton advised it would likely qualify as it is a capital expense. Mr. Atherton noted A & E are supportive of this action and advised they are the overall engineers for the WWTP project.

. Board Action Required by Otter Creek Watershed Insect Control District (OCWICD)

Wayne Rausenberger and Richard Russ of the OCWICD were present. Mr. Rausenberger advised he received an irate phone call from a Brandon resident about the fact that the OCWICD has not done a larvicide treatment and the person is aware of how the district used to operate. There used to be someone going into the swamp and if larvae were found, the person from the State would confirm and there would be a treatment. There is now a \$70,000 grant that starts July 1st and end June 30th each year as of 2012. This grant is not enough money as a helicopter costs \$19,000 to do a minimum of 1000 acres, plus the cost of the product for \$20,000 and incidental labor which would bring the cost to about \$41,000 for 1000 acres. The OCWICD has approximately 6000 acres that are treatable. In 2018, \$70,000 was received on July 1st and did a treatment that cost \$230,000, but they were able to receive additional funding, however, now the district only receives \$70,000. There is currently \$140,000 in the treasury. It was noted the last couple of years the mosquitoes were not as bad. A treatment should have been done last week but the district does not have the funds. The district got a one-time \$25,000 funding that could be used for an aerial treatment that was put in an escrow account. There was an inquiry made at the end of last year, but it is no longer available. The District is trying to make the community more tolerable for people. The \$140,000 gets split between two districts with the other district having 1000 acres and this district having 6000 acres. The other district can spend \$70/acre, but this district can only spend \$11.66. Mr. Rausenberger requested the Select Board compose a letter to the Governor indicating the district representatives have requested more money be given to the District as the OCWICD is unable to deliver the services the community needs. Seth Hopkins noted that this is a Legislative appropriation and suggested this is not part of a spending package that goes to the Governor. Mr. Hopkins asked if the District has written a letter to the State on this subject. Mr. Rausenberger advised the District voted to send a letter to the Governor and the local legislators. Mr. Atherton stated the funding is from the Department of Agriculture and is for larvicide only. Mr. Rausenberger suggested requesting an additional \$125,000 from the Larvicide grant. Richard Russ stated it is not known what the price of the product will be after July 1st and the District is operating on what has been stockpiled. Mr. Hopkins did not object to writing a letter from the Board but wanted to be sure the letter be appropriately directed and suggested the District determine the funding mechanism. Tim Guiles stated before supporting a letter, he would like a summary sheet of the amount of funding and the purposes for the funding. Mr. Rausenberger stated the grant has been \$70,000 since 2012. Bernie Carr suggested providing the Board with bullet points on the request to justify the increase. Mr. Hopkins noted the Select Board has been supportive of mosquito abatement and suggested consulting with the local legislators to discuss advocating for change or to determine the process for doing this. Mr. Atherton asked if any other towns have been approached to write a letter on behalf of the District and noted the District is their own municipality and Brandon is part of the membership that utilizes their services. It was suggested a joint letter from all towns might hold more influential. Mr. Rausenberger stated in addition to the District's letter, he would like additional support from the towns. Richard Russ stated Stephanie Jerome and Butch Shaw are aware of this situation. Mr. Atherton will speak with the legislators on this subject and report back to the Board.

7. Fiscal

a) Warrant – May 23, 2022 - \$1,222,747.55

Motion by Brian Coolidge/Tracy Wyman to approve the May 23, 2022, warrant in the amount of \$1,222,747.55. **The motion passed unanimously.**

The Board recessed at 8:45PM.

The Board reconvened at 8:56PM.

Motion by Tracy Wyman/Tim Guiles to enter into executive session at 8:56PM for the appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313(3)(a)(3) to include the Town Manager. **The motion passed unanimously.**

11. Executive Session

Motion by Tim Guiles/Seth Hopkins to come out of executive session at 10:19PM. **The motion passed unanimously.**

There were no actions required.

12. Adjournment

Motion by Tim Guiles/Seth Hopkins to adjourn the Select Board meeting at 10:19PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary